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E175

BABERGH DISTRICT COUNCIL

DEVELOPMENT COMMITTEE
9 NOVEMBER 2005

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE
COMMITTEE

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R J Watson
Head of Planning (Control)
Date 28 October 2005

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PUBLIC SPEAKING ON PLANNING APPLICATIONS AT MEETINGS OF THE DEVELOPMENT COMMITTEE

1. The Council has a policy of allowing members of the public to speak on planning applications when they are discussed at meetings of the Development Committee.
2. Prior to the consideration of each application on the planning schedule the Chairman will ask whether anyone in the public gallery who is eligible to speak wishes to address the Committee.
3. If there are, the Chairman will ask the public concerned to indicate whether they are a representative from the Town or Parish Council, an objector or either the applicant or his/her representative. If there is more than one objector present, the Chairman will ask whether they have nominated a spokesperson to speak on their behalf. If they haven't they will be asked to leave the meeting to determine a spokesperson and the Chairman will move to the next item in the meantime. The objectors will be reminded that if they are unable to agree a spokesperson then they will not be able to make any representations.

4. The following procedure and order of business applies in respect of each item:-

Introduction of item by Planning Officer

Representations by Town or Parish Council representative (or Parish Meeting where there is no Parish Council)

Representations by objector

Representations by applicant or representative

Clarification of any points by the Planning Officer and consideration of application by Members

Decision by Members

5. Prior to making any representations, speakers will come forward, one at a time at the invitation of the Chairman, and sit on one of the raised seats facing the main chamber and state their name and who they represent. Speeches cannot exceed 3 minutes and speakers will be asked to stop immediately if they exceed this period of time. Speakers will then return to the public gallery.
6. Speakers can only make statements of opinion or fact. They are not allowed to ask questions of Members or Officers and equally Members or Officers are not allowed to ask questions of them. Furthermore, speakers cannot ask questions to other speakers. Speakers can only rely on verbal statements and no presentational material can be displayed either on the notice boards or on the overhead projector. No information or materials can be handed around the Committee by the speakers whilst the meeting is in progress.
7. Babergh Councillors are not entitled to speak with regard to an application or other matter under this policy. However, a representative of the Councillor may speak on their behalf provided they are not a Councillor.

BABERGH DISTRICT COUNCIL

DEVELOPMENT COMMITTEE

SCHEDULE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING ACT 1990, AND ASSOCIATED LEGISLATION, FOR DETERMINATION OR RECOMMENDATION BY THE DEVELOPMENT COMMITTEE

This Schedule contains proposals for development which, in the opinion of the Head of Planning (Control), do not come within the scope of the Scheme of Delegation to Officers (Planning Control) adopted by the Council or which, although coming within the scope of that scheme, he wishes the Committee to determine.

Background Papers in respect of all of the items contained in this Schedule of Applications are:

1. The particular planning, listed building or other application or notification (the reference number of which is shown in brackets after the description of the location).
2. Any documents containing supplementary or explanatory material submitted with the application or subsequently.
3. Any documents relating to suggestions as to modifications or amendments to the application and any documents containing such modifications or amendments.
4. Documents relating to responses to the consultations, notifications and publicity both statutory and non-statutory as contained on the case file together with any previous planning decisions referred to in the Schedule item.

DELEGATION TO THE HEAD OF PLANNING (CONTROL)

The delegation to the Head of Planning (Control) includes the power to determine the conditions to be imposed upon any grant of planning permission, listed building consent, conservation area consent or advertisement consent and the reasons for those conditions or the reasons to be imposed on any refusal in addition to any conditions and/or reasons specifically resolved by the Development Committee..

(Minute No 63(d) of the Council dated 27 April 1999).

PLANNING POLICY

In the interests of economy the reports in this paper do not contain extracts from planning policy - simply the references. The County Structure Plan can be accessed online at:

http://www.suffolkcc.gov.uk/e-and-t/structure_changes/adopted_structure_plan/index.html and the draft Alteration no 2 to the Babergh Local Plan at:

**http://www.suffolkcc.gov.uk/e-and-t/structure_changes/adopted_structure_plan/index.html
The currently adopted Local Plan - Alteration No 1- is not available online, but all three documents can be inspected at the council offices during normal working hours.**

LIST OF ABBREVIATIONS USED IN THIS SCHEDULE

AWS	Anglian Water Services
CFO	County Fire Officer
CHA	County Highway Authority
EA	Environment Agency
EH	English Heritage
EN	English Nature
HoES	Head of Environmental Services
HSE	Health and Safety Executive
HOLCS	Head of Leisure and Community Services
MoD	Ministry of Defence
PC	Parish Council
PM	Parish Meeting
SPS	Suffolk Preservation Society
SWT	Suffolk Wildlife Trust
TC	Town Council

DEVELOPMENT COMMITTEE
9TH NOVEMBER 2005

ITEM 1

B/05/01110/OUT
OUTLINE

BENTLEY – LAND ADJACENT STOUR VALLEY NURSERIES, MARTINS HILL FARM,
BERGHOLT ROAD

Outline – Erection of buildings for production of mushrooms.

Applicant: Mrs. N. Redmond

Case Officer: Mrs Clare David

BACKGROUND.

Members will recollect that this application was deferred from the meeting on 12 October at the request of the Head of Planning (Control). The report is reproduced below in full.

Members are advised that this application is a resubmission of outline application B/04/00975/OUT that was withdrawn, at the applicant's request, before it was considered at Development Committee on 24 November 2004. It should also be noted that a panel of Members visited the site on 20 October 2004 to view the site in relation to its surroundings and to assess the standard of the approach roads.

SITE

1. The application site is located on the north side of Bergholt Road, and lies outside the defined built-up area of the settlement. The red line of the application site is confined to the footprint of the proposed buildings (approximately 0.285 ha) and the proposed access, parking and servicing areas. Members will note that the details of the current application differs from the 2004 proposal in so far as the point of access is now located centrally within the site frontage as opposed to via the existing access for Stour Valley Nurseries. Other land within the applicant's control is defined by blue colour and extends to an area of approximately 1.67 ha. It is this land which in effect is the extent of the application site – any conditions imposed upon the grant of a planning permission can relate to the areas both edged red and blue.
2. The site has a frontage width to Bergholt Road of approximately 150 metres and an average depth of approximately 102 metres. The boundaries of this land are defined by a tall, mainly conifer, hedge and the site lies within a SLA. The site lies in close proximity to the two ancient woodland County Wildlife Sites of Gt. Martins Wood and Dodnash Wood. There are a number of dwellings within the vicinity of the site, with the main built-up area of Bentley lying approximately 500 metres to the north-east.

PROPOSAL

3. The application, which is in outline form, proposes the erection of buildings for the growing and production of mushrooms. The applicant advises that it is envisaged eight attached buildings will be accommodated within the red line of the application site. These will be single-storey buildings of similar design and external appearance.

4. The access to and the siting of the proposed buildings forms part of the application with all other details reserved for future approval (i.e. design, external appearance and landscaping).
5. In addition to the application form, the current application also includes a Planning Submission Statement (which expands on the details of the proposal) and a Transport Assessment that considers the impact of the traffic generated by the proposal on the local highway network.
6. The Planning Submission Statement is summarised as follows.
 - The application is a resubmission of the 2004 application.
 - The application seeks to address concerns previously raised and the applicant has also commissioned a Traffic Assessment.
 - The development is required to replace the applicant's existing facility at Trimly St Martin as the Trimley site has become outdated and inefficient. The applicant wishes to provide a state of the art unit on a more sustainable site closer to the centre of operations at Capel St Mary.
 - The site is an area of land previously used for horticulture.
 - The site is well screened by existing hedging that will be retained save any that may be required to be removed to provide the necessary visibility splays.
 - The area of the application site is limited to the 'footprint' of the buildings and the position of the access. This is due to the fact that the production of mushrooms falls within the definition of agriculture and therefore there is no requirement to submit an application for the change of use of the land.
 - There will be no production of compost at the Bentley site. Production of compost will continue at Capel and will be transported to the Bentley site.
 - Spent compost will be stored at the Bentley site following completion of each mushroom production cycle. The length of time that it will be stored will vary. However, compost does not produce an odour. It is only when the compost is disturbed during loading for despatch that odour is produced. The odour quickly dissipates and does not cause a sustained problem.
 - The site at Trimley is in very close proximity to dwellings and operates without complaint.
 - The proposed development will not generate significant numbers of daily vehicular movements and are likely to be similar, if not less, than would be produced by a commercial nursery open to the public.

- The development is likely to produce the following traffic flows:-

Staff cars	3 -10 per day
Sundry delivery vans	1 -2 per week
Mushrooms to Capel in refrigerated vans	1 – 2 per week
Compost from Capel in lorry	2 per week
Packaging in lorry	2 per month
Compost off site in lorry	1 per week
Tractor and trailer	2 – 4 per week

- The Highway Authority previously expressed concerns that the level of traffic generated from the proposal would not be acceptable on the local road network, in particular the increased use of the junction of the C426 with the C424. The applicant has commissioned Consultant Highway Engineers to undertake a traffic survey and produce a Traffic Assessment. This concludes that the local road network is capable of accommodating the extra traffic. There can be no justification to refuse the application on highway safety grounds.
- The growing of mushrooms does not involve any noisy mechanical machinery. Apart from vehicles and fork lift trucks operating at the site the only noise generating equipment will be air conditioning units on the buildings. The applicants intend to install high-volume low-speed units that are able to operate efficiently at significantly reduced noise levels when compared to normal units. Noise levels will be reduced further by the use of baffles and the existing hedgerow will act as a natural baffle. A condition can be imposed to agree the precise details of air conditioning units.
- Any external lighting can be controlled by condition and will be screened by existing hedgerows.
- Details of parking and servicing areas can be controlled by condition. The growing process operates 24 hours a day however, operations involving employees at the site will only take place between 7.00 am and 4.30 pm with shorter working hours at weekends. This can be controlled by condition.
- The proposals will provide two full-time and 25 part-time jobs. A significant number in terms of rural employment.
- The buildings and apparatus will be state of the art and will incorporate water recycling and power saving equipment.
- The Council had previously expressed concerns about the location of the spent compost storage area. The current application identifies a suitable site.
- The proposal is clearly supported by the principal objectives of PPS7.
- The proposal also complies with policies LP105 and LP93 of the adopted local plan and CR01 and CR20 of the emerging local plan.

7. The Transport Assessment is summarised as follows:

- The company requires additional mushroom growing capacity and the site is considered ideal for an additional 8 shed growing unit. Mushroom production is an agricultural process and needs to be located in the countryside close to where the raw material, compost, can be produced. Compost will be brought from Capel St Mary where it is produced and picked mushrooms taken to Capel for packing
- The earlier application attracted objection on traffic concerns. In order to address and evaluate these concerns full classified traffic counts were undertaken at the junction of Martins Hill with the Street to the north of the site on 8, 9, 10 March 2005 between the hours of 07.00 – 09.00, 12.00 – 14.00, and 16.00 – 18.00.
- The morning and evening peak hour traffic flows through the junction to the north of the site are low ranging from 91 vehicles in the morning peak to 73 vehicles in the evening peak hour. Equivalent traffic flows on The Street vary from 185 to 217 vehicles during the same period.
- Staff will arrive on site at approx. 07.00am outside the morning peak hour and with possible deliveries in the peak hour the additional traffic is likely to be no more than three vehicles during this period or an additional vehicle every twenty minutes. This increase in traffic is minimal and cannot be considered material, as it will be less than 5% of the existing flow.
- The traffic generated by the development will flow generally between the site and the applicant's other site close by in the village of Capel St Mary and will complement that operation. In sustainable traffic terms the site is well located to carry out the cultivation of mushrooms as proposed.
- General highway issues related to layout of the means of access and drainage can be addressed by condition.

HISTORY

8. The land, the subject of this application, until recently formed part of the adjoining plant nursery. There is no recorded planning history relevant to this application.

POLICY

PPS7 – “Sustainable Development in Rural Areas”

9. PPS7 reiterates the Government's sustainable development strategy as the core principle underlining land use planning. It advises that decisions on development proposals should be based on sustainable development principles, ensuring an integrated approach to the consideration of:

- Social inclusion;
- Recognising the needs of everyone;
- Effective protection and enhancement of the environment;
- Prudent use of natural resources; and

- Maintaining high and stable levels of economic growth and employment.
10. It advises that (inter alia) in the open countryside away from existing settlements, or outside areas allocated for development, new building should be strictly controlled; it's overall aim in such areas is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources so it may be enjoyed by all. PPS7 further advises that priority should be given to the re-use of previously developed land in preference to the development of Greenfield sites.
11. In the context of "Agricultural Development", PPS7 advises:-
- "The Government recognises the important and varied roles of agriculture, including in the maintenance and management of the countryside and most valued landscapes. Planning policies in RSS and LDD should recognise these roles and support development proposals that will enable farming and farmers to:-
- Become more competitive, sustainable and environmentally friendly;
 - Adapt to new and changing markets;
 - Comply with changing legislation and associated guidance;
 - Diversify into new agricultural opportunities (e.g. renewable energy crops); or
 - Broaden their operations to 'add value' to their primary produce"

PPS9 – Biodiversity and Geological Conservation

12. The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests, local planning authorities will need to be satisfied that the development cannot reasonably be located on any alternative sites that would result in less or no harm. In the absence of any such alternatives, local planning authorities should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.

PPG24 – "Planning & Noise"

13. PPG24 advises "Much of the development which is necessary for the creation of jobs and the construction and improvement of essential infrastructure will generate noise. The planning system should not place unjustifiable obstacles in the way of such development. Nevertheless, local planning authorities must ensure that development does not cause an unacceptable degree of disturbance. They should also bear in mind that a subsequent intensification or change of use may result in greater intrusion and they may wish to consider the use of appropriate conditions.

Please note that details or extracts of policies are no longer included in reports – see page 4 of these papers

14. The following policies provide the framework against which this application should be judged.

Suffolk Structure Plan 2001

- ENV3 (high standards of layout & design in all developments)
- ENV4 (protection of the countryside for its own sake)
- ENV5 (location of development to avoid pollution)
- ENV8 (protection of SLAs)
- ENV13 (water resources)
- ENV19 (conservation of ecological assets).

Adopted Babergh Local Plan Alteration No.1

- LP62 (water quality and water resources)
- LP68 (noise generating development)
- LP69 (noise ameliorative works)
- LP93 (protection of landscape character)
- LP97 (protection of SLA's)
- LP101 (protection of wildlife habitats)
- LP105 (agricultural & forestry buildings/works).

Emerging Babergh Local Plan Alteration No.2

- CR13 (protection of County Wildlife Sites)
- CR14 (protected Species)
- CR16 (mitigating effects on biodiversity)
- EN10 (sustainable drainage systems)
- EN14 (development & risk to ground or surface water)
- EN16 (disposal of sewage waste & effluent)
- EN22 (light pollution)
- EN25 (noise generating development)
- CR01 (protection of landscape character)
- CR05 (protection of SLA's)
- CR10 (development in countryside & landscaping)
- CR20 (agricultural & forestry buildings/works)

OBSERVATIONS

15. PC – Object strongly for the following summarised reasons:-

- Road safety: the junction of Bergholt Road with Capel Road (C426) includes a blind corner which despite the 30mph restriction causes many “near misses” daily. The proposed development will introduce large vehicle movements on a road that has inadequate width and visibility and is on a bus route – it is impossible for buses to pass on this road.
- Special Landscape Area: the application is contrary to policy CR05. It would have an adverse impact on protected woodland and will eliminate the leylandii hedgerow that screens the site. It will expose the protected woodlands to noise and light pollution.

- Noise and light pollution: this will be a 24-hour operation and will thus require the use of floodlights causing light pollution. The noise from air conditioning units required to be operational 24 hours per day will have a detrimental effect on nearby residents.
- Odour nuisance and health: there would be an adverse impact on the health of local people by virtue of the rotting compost stored on site which would also result in noxious smells. Questions whether the law of torts has been researched by the Council in relation to nuisance.
- Danger to water courses: the storage of rotting compost carries the risk of leaching into the ground water and nearby watercourse.
- Detriment to local employment: the proposal will not generate new employment but merely relocate its existing workforce from Trimley resulting in increased traffic and forcing the adjacent Riding School to close.

The Parish Council also queries the accuracy of the blue edged site area, as it understands that the applicant has purchased adjoining land totalling 14 acres. The application forms do not refer to any felling of trees but it is calculated that 78 of the existing 159 trees will be required to be felled to form the new access and visibility splays. There is no indication of working hours on weekends merely that these hours will be shorter than during the week. The application does not specify the size of vehicles and also fails to provide details about the removal of spent compost.

16. CHA – the content of the Transport Assessment are noted, concerns are however reiterated over the unsuitability of Bergholt Road to serve the type of traffic that would be generated by this proposal. In addition, the Transport Assessment does not refer to the use of this narrow road by cyclists, horse riders and pedestrians, or to the sub-standard visibility that exists at the road's junction with The Street. These are of concern when considering the additional traffic to be generated by this proposal.

The following recommendation of refusal is therefore still appropriate:-

‘The access route to the site, Bergholt Road, is of restricted width with no footways and joins The Street with sub-standard visibility, particularly that of the approach of nearside traffic. Bergholt Road does not therefore form a suitable route to serve the traffic likely to be generated by the proposed mushroom unit, as this would be detrimental to the safety of other users of the public highway in this vicinity.’

17. HoES – No objection in principle to this application, subject to certain points of detail being confirmed or resolved
- The proposed compost standing should be constructed and drained in accordance with the advice given in the Code of Good Agricultural Practice – The Water Code published by MAFF in 1998 (paragraphs 140-46).
 - Details of the location, construction and sound power levels of the ventilating units must be submitted and approved before construction commences.
 - The Transport Assessment indicates that 1 lorry load of compost will be removed each week. This should be confirmed and details of the total amount and longest storage time of spent compost on site should be provided.
18. EA – No response received to date. Members will be updated verbally.

19. SWT – it is noted that there is no intention to produce compost and this is welcomed as concern has been expressed in the past that issues of run-off into the adjacent County Wildlife Site may be harmful. Concern still remains with regards to floodlighting. The site is between two ancient woodlands. The wildlife associated with such habitats will be sensitive to light pollution and excessive light at night could be detrimental. It is felt appropriate that the details of lighting (concerning light spillage and overall night time light levels) should be agreed prior to determination. The small copse to the north east of the site should be safeguarded from future development.
20. The local Member of Parliament has written a letter of objection that asks the Committee to have regard to his strong objection and those of his constituents. The Member's objections are based on reasons of highway safety; character and appearance of the area; economic impact residential and general amenity; and, planning policy.
21. Councillor Miller, as a local ward Member has also written to object to the proposal. He requests a further site visit by Members due to the altered details of the application. He raises objection on the following grounds:
 - that the proposal is contrary to policies CR01 and CR05;
 - adverse impact on protected woodland;
 - noise and light pollution;
 - water course pollution;
 - road traffic dangers;
 - detriment to local employment;
 - scope for major expansion.
22. Bentley Footpath Society – object due to the views of the site from nearby public footpaths and because of the highway dangers faced by walkers who regularly use Bergholt Road. It is also noted that the lane is an official county cycle route.
23. Letters – The application has attracted a very large number of letters of representation. 352 identical letters have been received that object to the proposal on the basis that it will:
 - be seriously detrimental to our village environment.
 - add significant highway hazards including a dangerous junction, sharp bends and narrow roads which are inappropriate to the increase in number of heavy vehicles.
 - result in pollution from over powering smell (caused by regular disturbance of spent compost), invasive noise and floodlighting.
 - damage preserved oak trees along Bergholt Road.
 - be a threat to existing businesses with potential loss of employment.
 - damage wildlife habitat.
 - mean future industrial development as the applicant has purchased more than 10 acres of adjoining farmland.
 - inappropriate development in a Special Landscape Area.

- proposed revised access point will need statutory visibility splay requiring removal of approximately 50% of the conifer hedge which the applicants claim will screen the site.
24. A further 87 individual letters of objection have been received, including one from BAMF (Bentley Against Mushroom Factory). The main contents of which are as summarised.
- Pollution from smells;
 - Pollution from noise;
 - Pollution to water;
 - Encourage flies and vermin;
 - Highway safety – highway network cannot accommodate the increase in traffic;
 - Damage to flora and fauna (including protected oak trees adjoining the approach roads to the site);
 - Impact on the Special Landscape Area and out of keeping with the rural character of the area;
 - Unsustainable development – generating numerous trips between Capel and Bentley;
 - Trimley site much more sustainable;
 - Smells and bioaerosols will cause health problems, in particular to asthma sufferers;
 - Incomplete/lack of information within the application (including no information on the size of vehicles);
 - The Trimley site could easily be updated or redeveloped but instead is being sold for housing, making a great deal of money;
 - Stated traffic generation is likely to be seriously under-estimated;
 - Approach roads to the site are unsuitable for the development proposed to the detriment of highway safety. Conflict with other road users, including horse riders and walkers, to the detriment of public safety;
 - Smell nuisance resulting from the use, storage and disposal of compost;
 - Threat to existing businesses such as the Bentley Riding School;
 - Will set a precedent for further commercial development in the area. The applicant has acquired other land in the immediate vicinity which will result in future expansion.
25. 14 letters have also been received in support of the proposal, one of which is from the owner of Orwell Mushrooms, one from the applicant, and the remaining either from employees of the Capel or Trimley sites, and contain the following principal points:-

- The compost is delivered to the site and at this stage has no smell;
- The used compost which also has no odour is sold to local farms;
- The increase in traffic has never caused a problem in a small village setting;
- The new site is essential to provide a modern facility and continued employment;
- No complaints have ever been received about traffic, noise or smells at the Trimley site which has been located in a predominantly residential area for 40 years;
- The proposal should be seen as a horticultural proposal on a horticultural site;
- The refusal of planning permission may lead to the demise of Capel mushrooms which is a family run business that has been sensitive to the impact on the local community;
- The proposal will be important to the local economy and encourage young families to stay in the area;
- The proposal is not a factory but rather a farm;
- The smell problems that have occurred in the past at Capel relate to the production of compost. Five years ago this process was updated and no smell problems have been reported since;
- The misinformation being spread at Bentley is based on out dated practices;
- Traffic to the farm will be limited and will come via the A12 and return that way;
- The site is well screened and will not create an eyesore;
- Capel Mushrooms have provided work to other small businesses in the area and are a major contributor to the local economy

ASSESSMENT

26. The site of the proposed development lies outside the defined built-up area of any settlement, and is regarded as “countryside” for land use planning purposes. In such areas, adopted and emerging Development Plan policies seek to confine new development to that which is essential for the efficient operation of agriculture, forestry and appropriate outdoor recreation (Policies ENV3, LP93 and CR01 refer). The growing of mushrooms falls within the definition of agriculture. The application proposals accord with the main thrust of the objectives set out in Policies ENV3, LP93 and CR01. There can be no objections, therefore, to the proposed development on land use planning grounds.
27. The principal planning considerations to be taken into account in any determination of this application may be broadly summarised as follows:
- Traffic generation and impact on highway safety;
 - Impact on residential amenity (noise and smell nuisance and light pollution);
 - Impact on landscape character;

- Impact on wildlife and biodiversity; and
- Impact on ground water resources.

Highway Safety

28. As with the previous application, a great deal of public concern has been expressed about the inadequacy of the approach roads to the site to safely accommodate further commercial traffic. In addition, the adequacy of the junction of Bergholt Road with The Street has been seriously questioned by local residents and other interested parties. To address previous concerns the applicant has resubmitted the proposal with additional information in the form of a Transport Assessment and with a revised point of access. The Highway Authority has considered this information but notwithstanding the additional details concludes that those concerns are well founded. It has therefore recommended that planning permission be refused for the reasons set out at paragraph 16 of this report.

Impact on Residential Amenity

29. The potential impact on residential amenity would be from increased vehicular activity on the approach road to the site, smell nuisance resulting from the delivery of compost, the storage and removal of spent compost; noise emanating from any machinery operated on the site, such as air conditioning units; and potential light pollution. The applicant advises that the buildings the subject of this application are to replace an existing mushroom production business at Trimley St Martin (Suffolk Coastal District Council) and therefore, in order to assess these issues, an officer of the Council has previously visited the Trimley St Martin site and made enquiries of Suffolk Coastal's officers. Officers at Suffolk Coastal District Council have advised that they have no record of any noise or smell complaints resulting from operations at the Trimley site.
30. The previous application lacked detail on the proposed air conditioning units that were to be installed as such it was considered that an accurate assessment of noise impact could not be made and this was suggested a reason for refusal. Of course the application was withdrawn before it was determined. The current application seeks to address those issues previously identified as concerns and whilst it does not specify the exact nature of the air conditioning units it does confirm that the applicant proposes to install high-volume low-speed units that will be baffled if necessary. Whether or not there will be loss of residential amenity resulting from noise will depend, for example, on ambient background noise levels. These may be quite different at Trimley St Martin and Bentley, bearing in mind that the Trimley site is very close to the A14 trunk road. In commenting on the current proposal the Council's Environmental Health Officer advises that details of the location, construction and sound power levels of the ventilating units must be submitted and approved before construction commences in order to ensure that sound levels are acceptable. This can be suitably controlled by condition, as can the continued noise levels experienced at the site boundaries. It is thus considered that this cannot be sustained as a reason for refusal.
31. The issue of potential smell nuisance mostly relates to the storage of spent compost on site. The previous application lacked information on the proposed handling/storage of spent compost, in particular where it was to be stored and in what quantities and, as such, this was also cited as a reason for refusal. Whilst an officer of the Council had visited the site at Trimley and did not experience any odour problems as a result of spent compost storage it was considered that the lack of information contained in the previous application made it impossible to confirm that the proposals would not result in odour nuisance. The current application states that compost production will not take place at the site and indicates a location for the storage of spent compost in the north western corner of the site. In terms of the quantities of spent compost, the details also state that this will be removed from the site

once a week. The details do not, however, confirm whether the spent compost will be removed in its entirety on a weekly basis, in fact the information states that the length of time that spent compost will be stored 'will vary'.

32. The Council's Environmental Health Officer requests further clarification of the total amount and longest storage time of spent compost on site. At the time of the visit to the Trimley site the storage of spent compost amounted to eight months worth of material. This particular impact still cannot be fully assessed. The applicant has been asked to provide further information on this aspect of the application and members will be updated verbally of the outcome of this. In the meantime, however, the impact of odour nuisance on residential amenity remains to be addressed and due to the lack of detail the loss of residential amenity cannot be assessed and thus the application should be refused on this basis, unless information to the contrary can be provided.
33. The applicant advises that the hours of operation (when employees are on site) will be restricted to 7am – 4.30pm during the week. It is stated that weekend hours will be shorter but are not detailed. The applicant has been asked to provide additional information in this respect but in any case it is not considered that vehicles arriving and leaving the site at these hours would result in an adverse impact on residential amenity. Fork lift trucks will operate within the site, but this is unlikely to result in any significant loss of residential amenity.
34. Light pollution from the site has also been suggested as a potential adverse impact on residential amenity. The application does not include any details of external lighting requirements but does point out that external lighting can be controlled by condition and that the site will be screened by existing hedgerows. A suitably worded condition could be attached to any planning permission to control the positions and specifications of external lighting and as such the impact on residential amenity is not considered to comprise a tangible reason for refusal.

Impact on Landscape Character

35. The site occupies a rural location within a designated Special Landscape Area, and is well screened on its boundaries by an established conifer hedge. The applicant has advised that the proposed buildings will be single-storey in scale. The detailed design and external appearance of the buildings would be the subject of reserved matters applications were this outline application to be approved. Should the application be approved the majority of the existing hedgerow would need to be removed in order to provide the necessary visibility splays (this was not the case with the previous application as the access was proposed to be provided by the existing nursery access). The buildings would be visible initially from public views but with landscaping outside of the necessary visibility splays, in time the development would not be intrusive in the Special Landscape Area. The proposals will generate additional traffic on the approach roads to the site, but this would not be so significant as to have a material adverse impact on the landscape character of the area, such that a refusal of planning permission would be warranted.

Impact on Wildlife and Biodiversity

36. The views of SWT were still awaited at the time of preparing the previous report to Committee. The views received in relation to this application are contained at paragraph 19 of this report. The Trust are pleased to note that compost production will not take place at the site as it had expressed concern in the past that issues of run-off into the adjacent County Wildlife Sites may be harmful. The Trust, however, still remain to have concern with regards to floodlighting. The site is between two ancient woodlands and the wildlife associated with such habitats will be sensitive to light pollution and excessive light at night could be

detrimental. It is felt appropriate that the details of lighting (concerning light spillage and overall night time light levels) should be agreed prior to determination.

Impact on Ground Water Resources

37. Concern has been expressed that the storage of spent compost on the site could lead to the pollution of ground water resources. The Environment Agency has raised no objections to the previous application but recommended that a condition be imposed requiring drainage details to be submitted for approval. The Agency has indicated that such a condition would ensure that ground water pollution is prevented. The Environment Agency comments are awaited on the current application.

Other Issues

38. Local residents are concerned that the applicant is said to be acquiring additional land close to the application site, and question what the implications of this might be for further expansion, in the event of this application being approved. The applicant has been asked to indicate whether this is true, and what the longer-term plans are in terms of possible future expansion. To date the applicant has declined to provide this information. Notwithstanding this, the Local Planning Authority must consider the application that has been submitted. If permission is granted then it will have to consider any subsequent application for expansion on their own planning merits.

Updates

39. Since the previous report to Committee was completed a further two letters have been received from the agent. The points of which are as summarised
 - The CHA have no survey evidence relating to cyclists, horse riders and pedestrians using the road and as such this reason for refusal cannot be substantiated at appeal
 - An approach has been made to the CHA to discuss a possible reduction in size of the buildings and such the level of traffic. The CHA confirm that they will maintain the objection. This is unreasonable as the existing nursery use generates traffic and this is a material consideration.
 - The applicant's own traffic survey work clearly demonstrates that the likely increase in traffic is not material.
 - Compost will be removed from site once a week. This can be controlled by condition.
 - External lighting can also be controlled by condition
 - The agent reminds the LPA that to refuse an application on the basis of something that could be controlled by condition is unreasonable behaviour that could result in costs being awarded on appeal.
 - Sundry delivery vans (1-2 per week) will be transit size vans; refrigerated vans (1-2 daily) will be transit size vans; compost will be delivered from Capel (2 per week) by tractor and trailer; packaging will be delivered (2 per month) by transit size van; and compost will be removed by tractor and trailer.
 - The delivery and removal of compost to the site does not involve the same number of traffic movements, as the deliveries are not full loads.
 - Weekend working is normally restricted to Saturday mornings unless in emergency. There are currently no restrictions on working hours at the nursery and this is a material consideration.
 - The compost storage is in accordance with the HoES requirements.
 - Spent compost is disposed to local farmers

- It is not possible to state the total amount and storage time of spent compost as this depends on a number of factors including demand from local farmers.
- Spent compost itself does not produce an odour, it is only when the compost is disturbed.

40. In addition, a further letter of objection has been received from a local resident. The letter mostly relates to those letters that have been submitted in support of the application and is summarised as follows:

- The letters of support do not address all the points of objection, including safety concerns, noise, wildlife and light pollution. The letters concentrate on the smell issue and state that there will be no problem. The applicant, at the village meeting in October 2004 stated that a smell would be produced when the compost was moved.
- The applicant also stated at the village meeting that he had purchased surrounding land. It is clear from this that the operations are proposed to expand in the future.
- The letters refer to the proposed site being on the edge of the village. This is not correct
- The issue is not with traffic volume but rather that the road is unsuitable for large vehicles
- A more suitable site should be considered.

41. The further information supplied by the agent have been reported to CHA and the HoES for comment and Members will be updated verbally of any responses received.

RECOMMENDATION

Refuse Planning Permission.

Reasons:-

- As recommended by CHA.
- In the absence of details relating to the storage and disposal of spent compost, the Local Planning Authority is not satisfied that the proposed development will not cause loss of residential amenity by reason of odour nuisance.
- In the absence of details relating to external lighting, the Local Planning Authority is not satisfied that the proposed development will not cause harm to wildlife contrary to PPS9, ENV19, LP101, CR13, CR14 and CR16

DECISION

NAYLAND WITH WISSINGTON – 13 STOKE ROAD

Erection of detached two-storey dwelling and alterations to existing vehicular access (resubmission of B/05/00308/FUL).

Applicant: Mr and Mrs Scarlett

Case Officer: Martyn Fulcher

BACKGROUND

A panel of Members inspected this site on 19th October 2005 in order to assess the impact of the development upon visual and residential amenity and the character and appearance of the Conservation Area at the request of the Local Member.

SITE

1. The application site is located to the southern side of Stoke Road and encompasses an area of land measuring 0.0264 hectares. The site has a frontage width of approximately 9.6 metres and a maximum depth of 27.5 metres. The front of the site forms the highest part of the site with the land generally falling away to the south.
2. The site is currently vacant but previously formed part of the side garden area to No.13 Stoke Road. An existing vehicular access serves the site. A brick wall forms the rear boundary to the site, with panel fencing and wire fencing/planting forming the side boundaries. The site is currently enclosed to the front by a chain link fence.
3. The site lies wholly within the built-up boundary for the village, the Nayland with Wissington Conservation Area and a designated Area of Outstanding Natural Beauty. In addition, neighbouring property to the east/west and north are all listed buildings.

PROPOSAL

4. This planning application seeks permission for the erection of a detached two-storey dwelling and alterations to the existing vehicular access.
5. The dwelling would provide the following accommodation at ground floor level:
 - Sitting room, study, hall, cloaks, kitchen and dayroom.
6. The following accommodation is provided at first floor level:
 - 2 bedrooms, landing and bathroom.

7. The dwelling has a maximum width of approximately 7.9 metres and a maximum depth of approximately 10 metres. The dwelling is on a sloping site with the maximum ridge height of the front elevation measuring approximately 6.8 metres, rising to approximately 7.5 metres at the rear (above ground floor level).
8. It is proposed to construct the dwelling in smooth colour washed render (colour to be decided) over a red brick plinth and red/brown handmade plain tiles to the roof.
9. A letter has been submitted in support of the application. The following comprises a summary of the points raised: -
 - Revisions when compared with the previous application: -
 1. The window on the North-West elevation of the sitting room has been reduced from a 4 bay type to a 3 bay type.
 2. The depth of the sitting room (ground floor) and bedroom (first floor) has been reduced by 600mm in depth.
 3. The study, cloaks and day room have been reduced in width by 300mm affording a wider margin to the common boundary to the South West.
 - With reference to the reasons for refusal: -
 1. It is my clients intention to use high quality materials including bespoke joinery.
 2. The design and materials fully respect the existing character of the Conservation Area and close proximity of listed buildings.
 3. Do not believe this constitutes over development of the site and approximately 180 m² of amenity land is maintained on site, 110m² of which is located to the rear of the property.
 4. Part of the nature of Nayland is small dwellings located on small sites, many of which are terraced.
 5. Space and views are maintained within the Conservation Area as evident on the Proposed Street Scene. The proposed dwelling is also subservient to the adjacent dwellings, including no. 11 and 13 Stoke Road due to its siting on the plot and levels.
 6. Due to sympathetic design and use of quality materials we strongly feel that the proposed dwelling makes a contribution to the Conservation Area and does not have an adverse effect on the adjacent listed buildings.
 7. Suffolk County Council Highways department have supported the proposals subject to their conditions being satisfied and therefore this is not considered an issue.
 8. Certainly when considering the smaller properties adjacent to the application site, both terraced and detached, it is evident that parking is either non existent or directly off Stoke Road. This application includes two off road parking spaces and space is provided on the side to enter and leave the site in the same direction.

HISTORY

10. 2002 – Planning permission granted for construction of vehicular access (B/02/00156 refers).
11. 2005 – Planning permission refused for erection of detached two-storey dwelling and alterations to existing vehicular access (B/05/00308/FUL refers). A summary of the reasons for refusal are as follows:
 - *Loss of this space would neither preserve nor enhance the Conservation Area, and would have a detrimental impact on the setting of the listed buildings;*
 - *Proposal would result in a cramped over-development of the site;*
 - *Adverse impact upon the character of the conservation area and the setting of the listed buildings, due to the visual dominance of the building in relation to neighbouring property; and*
 - *Parking of motor vehicles will be solely to the front of the property to the detriment of visual amenity.*

POLICY

PPG3 (Housing)

12. PPG 3 states that Local Planning Authorities should seek to achieve an efficient use of land seeking greater densities of developments at places with good public transport and service provision. In addition, in urban areas, the Government is committed to maximising the re-use of previously developed land and empty properties and the conversion of non-residential buildings for housing, in order to both promote regeneration and minimise the amount of green field land being taken for development.

PPG15 (Planning and the Historic Environment)

13. PPG15 proposes that in exercising conservation area controls, local planning authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in question, and, as with listed building controls, this should be the prime consideration in determining a consent application.
14. Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole that has a well-established character and appearance of its own.
15. Special regard should be had for such matters as scale, height, form, massing, respect for the traditional pattern of frontages, vertical or horizontal emphasis, and detailed design (e.g. the scale and spacing of window openings, and the nature and quality of materials). General planning standards should be applied sensitively in the interests of harmonising the new development with its neighbours in the conservation area.

Please note that details or extracts of policies are no longer included in reports – see page 4 of these papers.

16. The following adopted and emerging Development Plan policies are considered relevant to this application: -

Suffolk Structure Plan 2001

- Policy ENV1 (Conservation Areas)
- Policy ENV3 (Design Standards)
- Policy ENV7 (Area of Outstanding Natural Beauty)

Babergh Local Plan Alteration No.1

- Policy LP4 (Villages)
- Policy LP17 (Criteria for Infilling and Groups)
- Policy LP18 (Layout and Design)
- Policy LP70 (Conservation Areas)
- Policy LP78 (Conservation Areas)
- Policy LP79 (Setting of a Listed Building)
- Policy LP95 (Area of Outstanding Natural Beauty)

Babergh Local Plan Alteration No.2 – Second Deposit Draft

- Policy HS02 (Villages)
- Policy HS12 (Criteria for Infilling and Groups)
- Policy HS14 (Layout and Design)
- Policy CN01 (General Design)
- Policy CN02a (Conservation Areas)
- Policy CN10 (Setting of a Listed Building)
- Policy CR02 (Area of Outstanding Natural Beauty)

OBSERVATIONS

17. PC – Some P.C. Members believed the previous refusal prevents development of any kind whilst an equal number felt the site was suitable for residential development. It was also noted that whilst frontage parking was not ideal, a turning area had been provided and other recent developments had been constructed close to their boundaries.
18. CHA – To be reported if available
19. EA - To be reported if available
20. SCC (Archaeology) – No objection – No significant impact on known archaeological sites or areas with archaeological potential.
21. SPS - To be reported if available.
22. EA – No objection.

23. Nayland with Wissington Conservation Society –
- Site should remain undeveloped;
 - Detrimental impact upon setting of listed building;
 - Proposal will not give a sense of continuity;
 - Being set back on steeply declining land it will appear oddly positioned in relation to neighbouring buildings;
 - Would obscure the fine red brick boundary wall;
 - Design does not respect the character of the area;
 - Parking to the front would be detrimental to visual amenity; and
 - Dangerous precedent would be set.
24. Dedham Vale Society – object. The proposal does not meet several criteria of LP17, LP18, LP78, LP146, HS12, HS14, CN01 and CN02. It is inappropriate infilling in the Conservation Area and does not blend in either its siting or its proposed materials.
25. Letters – Ten letters received (six supporting and four objecting). The following comprises a summary of the supporting comments:
- Current site is an eyesore;
 - There is no building line on that side of Stoke Road;
 - Design is in keeping;
 - Plot is ideal for a smaller house;
 - Application supported by elected councillors;
 - Applicant was brought up in village;
 - One day younger people will use it;
 - Petty to refuse;
 - The plot is ideal for a small house – permission for larger houses in Nayland appears to be no problem when it is smaller houses that are needed.
 - Would enhance the conservation area;
 - Vehicular access would be less dangerous than many existing; and
 - Height of building will not impede views or light.
26. The following comprises a summary of the objections and issues raised: -
- Sensitive site that should not be developed;
 - Loss of space would be detrimental to setting of nearby listed buildings;
 - Over-development of site;
 - Detrimental to visual amenity by virtue of front parking area;
 - Highway safety concerns;
 - Property is too large for the plot;
 - Lessen open aspect;
 - House extends almost the whole length of the plot and thus presents a view of considerable expanse of brick wall;
 - Site should be restored to its original use as garden;
 - Object to the building in principle as it will not enhance the beauty of the village and by adding more houses we destroy the very essence of what is so pleasant about Nayland. Unnecessary building considering the number at present for sale in the village;
 - Space should be left around historic buildings in order for them to be admired;

- Open spaces are just as important as buildings; and
- Proposal will overshadow our garden and house and have a detrimental effect on the internal and external light.

ASSESSMENT

27. The application must be determined in relation to the provisions of the development plan and other material planning considerations. The main issues to be considered in this case are:

- Policy Considerations
- Impact on the character and appearance of the conservation area and setting of adjacent listed buildings
- Residential Amenity
- Previous Refusal of Planning Application B/05/00308/FUL

Policy Considerations

28. The application building is sited within the defined built up area boundary for Nayland and therefore there can be no objection in principle to residential development on the site. Furthermore, PPG3 is clear in its aims to promote more efficient uses of previously developed land.

29. PPG15 is clear in its aims to preserve or enhance conservation areas and protect the setting of listed buildings from inappropriate development. Development Plan policies provide similar guidance when assessing applications for development within conservation areas or the setting of a listed building.

30. The application site is located within a particularly sensitive location within the Nayland Conservation Area with listed buildings to either side, front and rear. Policy CN02a states, amongst other things, that proposals for the erection of new buildings in such areas should preserve or enhance the conservation area or its setting. Policy CN10 requires proposals to contribute positively to the setting of a listed building, including space, views from and to the building and historic layout and to comply with PPG15.

Impact on the character and appearance of the conservation area and setting of adjacent listed buildings

31. The site is currently vacant in so far that the site does not support any form of development. However, historically, the site formed part of the side garden of No.13 Stoke Road prior to being sold off to the applicants. It is not agreed that the site is an eyesore, as alleged by supporters of the scheme, but rather that the open aspect plays a very important role in the overall character and appearance of the locality. The spaces between buildings are an intrinsic part of the make up of conservation areas, often of equal importance to the actual buildings themselves in forming the overall character of such areas, and the erosion of such open spaces can have an unacceptable adverse impact upon the quality and appearance of conservation areas.

32. In this instance the application site is of a limited width (9.6m) and slopes steeply to the south. The proposed dwelling is to be sited almost centrally within the plot and will provide for an average 1.2m gap between the side elevations of the property and either side boundary. 2 No. Car parking spaces are to be provided to the front of the site.
33. It is considered that the proposed development will have a significant detrimental impact upon the character and appearance of the conservation area, and in particular, upon the setting of neighbouring listed building.
34. Firstly, development of the site will result in the loss of a valuable open space, one that is thought to fully contribute towards the attractiveness and character of the conservation area. By virtue of the dimensions of the property in relation to the plot size, the resultant cramped appearance will further erode the spatial characteristics of the site and its setting failing to either preserve or enhance the Conservation Area.
35. Development of the site will also adversely affect views to and from No.11/13 Stoke Road, a Grade II Listed building. In particular, the proximity of the proposed development with No.13 Stoke Road and position within the plot are considered to result in a visually compromised form of development, detrimental to the setting of the listed building. Furthermore, the provision of car parking solely to the front of the development will result in an uncharacteristic and visually detrimental form of development to the detriment of the site and its setting.

Residential Amenity

36. The proposed dwelling is to be sited approximately 1.2m from the side boundary with No.13 and set primarily to the rear of that building. As such, the rear of No.13 Stoke Road will be overshadowed by the proposed development, leading to a loss of light and aspect to/from both the rear facing habitable rooms of No.13 and its private amenity area, to the significant detriment of residential amenity.

Previous Refusal of Planning Application B/05/00308/FUL

37. This application is submitted following the refusal of planning application B/05/00308/FUL (see paragraph 11). The scheme has been revised threefold:
 - Sitting room window reduced from a 4 bay to a 3 bay;
 - Depth of sitting room (ground floor) and bedroom first floor reduced by 600mm; and
 - Study, cloaks and day room reduced in width by 300mm.
38. The revisions are considered minor in nature and do not fundamentally alter the views of officers in the assessment of this application.

Conclusion

39. In view of the above and having regard to the relevant Development Plan and its policies, the following recommendation is made -

RECOMMENDATION

Refuse Planning Permission –

Reasons:

- Loss of this space would neither preserve nor enhance the Conservation Area contrary to PPG15, ENV1, LP78 and CN02a;
- Detrimental impact on the setting of the listed buildings contrary to PPG15, ENV1, LP78 and CN10;
- Cramped over-development of the site contrary to ENV1, ENV3, LP4, LP17, LP18, HS12, and HS14;
- Adverse impact upon the character of the conservation area and the setting of the listed buildings contrary to PPG15, ENV1, ENV3, LP78, CN02a and CN10; and
- Parking of motor vehicles solely to the front of the property is detrimental to visual amenity contrary to ENV1, ENV3, LP4, LP17, LP18, LP78, HS12, HS14, CN02a and CN10;

DECISION

BRETtenham – LAND ADJ. THE OLD GARAGE, THE STREET

Outline - Erection of 2 (No.) one and half storey dwellings and construction of new vehicular access.

Applicant: Mr. S Earle

Case Officer: Gemma Pannell

SITE

1. The application site is 0.06 hectares and was formerly a petrol filling station that has been vacant for a number of years. Two petrol tanks remain stored underground. The site is within the built up area of Brettenham and within the Brettenham Conservation Area. There are no other constraints affecting the site.

PROPOSAL

2. See report heading. The proposal is for the erection of two (no.) dwellings and the construction of a vehicular access to serve the proposed dwellings.
3. The application is in outline form with all matters reserved. The applicants agent has submitted an illustrative layout indicating how the site could be satisfactorily developed with two no. dwellings.

HISTORY

4. 1955 – Planning permission granted for the erection of dwelling, shop, and garage and two petrol pumps and construction of vehicular access, (S/1386/C refers)
5. 1962 – Planning permission granted for the erection of 3rd Petrol pump. (S/62/624/C refers)

POLICY

PPG 3 (Housing)

6. Local Planning Authorities should seek to achieve an efficient use of land seeking greater densities of developments at places with good public transport and service provision.
7. The following adopted and emerging Development Plan policies are considered relevant to this application;

- **Suffolk Structure Plan 2001**

CS3 (Location of new housing development)
ENV3 (Design standards)

- **Babergh Local Plan (Alteration No. 1)**

LP4, LP5 (Villages)
LP17 (Density and Housing Type)
LP18 (Design of new housing)
LP78 (Conservation Area)

- **Babergh Local Plan (Alteration No. 2) Second Deposit Draft**

HS02, HS03 (Villages)
HS12 (Infilling)
HS14 (Design of new housing)
CN01 (Maintaining local distinctiveness)
CN02a (Conservation Areas)

** please note that details or extracts of policies are no longer included in reports - see page 4 of these papers.*

OBSERVATIONS

8. PC – Objects to this outline application with the following comments:

The PC does not object to the principle of development of this site. In our opinion the application does not preserve nor enhance the appearance of the conservation area of Brettenham for the following reasons:

- An appearance of overdevelopment would result from the proposed size and number of houses. The designated plots are disproportionate to the proposed dwellings.
- The close proximity of this development to the existing house “The Old Chapel” would cause significant impairment of light to this single storey building.
- Trees in the vicinity of this development would require removal and/or extensive pollarding,
- Off road parking is totally inadequate for these 3 or 4 bedroom houses.
- The proposed development would not enhance the appearance of the existing “Old Filling Station” house.

The PC would also like the following points to be taken into account regarding the development of this site:

- The current pedestrian path should be reinstated to a practical and conventional width.
- Additional drainage from this site should require appropriate design and constructed to avoid overwhelming existing sub-optimal soakaways.
- Appropriate decontamination of this site.

9. CHA – Recommend standard conditions regarding access details, parking and manoeuvring details and provision of parking for The Old Garage.
10. HoES – Request a condition relating to the decontamination of the site.
11. SPS – Object to the application for the following précised reasons:
 - Before the principle of development of this infill site is agreed its contribution to the character and appearance of the conservation area must be fully assessed.
 - The society is concerned about the outline nature of the application and would formally request that the LPA directs for the submission of full details. Without this information the application should be refused.
12. Two letters have been received objecting to the application for the following précised reasons:
 - The erection of two dwellings is inappropriate for the size of the plot. The houses would be out of keeping with the surrounding properties being too high and not having sufficient space around them.
 - The proposed site comes within the Brettenham Conservation Area and the houses would be infilling. In the past similar applications have been turned down in “The Street” and if this one is granted it will set a precedent for others. This would lead to the village losing its character and undermine its conservation status.
 - The projected plan makes no allowance for garages and show inadequate off-street parking for what could amount to 4 cars. Also the existing house on the site has no garage and no off street parking.
 - No allowance has been made for the existing trees on the site, particularly the Ash on the adjoining property at the Old Chapel. The plans show building up to the Old Chapel which would necessitate removal of the tree.
 - The present footpath has been over grown and would need to be reinstated to allow safe passage of wheelchairs and pushchairs. This would limit the size of the plot.
 - The site was originally a garage and petrol station. The storage tanks are still there and one old car remains. The tanks could an explosive hazard. The soil could be contaminated over the years by leakage and storage of old vehicles.
 - We would have no objection to the site being cleared and made safe, the removal of the old house, which is rather derelict and an appropriate planning proposal for building either a single house or two small semi-detached bungalow to be in keeping with the existing properties and rural character of the village.

- Our house (The Old Chapel) is a single storey building and the plans do not show our bedroom area. If the application is approved the proposed building comes virtually up to our boundary and we would be completely overshadowed with a brick wall, blocking out all sunshine from our patio area. The plan also shows a window overlooking our patio area.
 - The site has been left in a mess to influence to the Council to grant planning permission.
13. One letter of support has been received stating that as adjoining neighbours they wish to register their full support for this scheme.

ASSESSMENT

14. The application has been submitted in outline form, will all matters reserved for consideration at a later stage. Therefore the objections received with regard to the layout and design of the properties are unfounded as this information is not for consideration at this stage, and as such the concerns raised by the objectors will be taken into account at the reserved matters stage.
15. PPG3 encourages the efficient use of previously developed land, and 2 dwellings is, in our opinion an acceptable and efficient use of the site. The layout that has been submitted for illustrative purposes does not propose an acceptable form of development, by virtue of a single access through the middle of the site, however it does illustrate that the plot is of sufficient size to accommodate two dwellings.
16. The site, having been used as petrol filling station, is classed as a former employment site. However, given that the site has been vacant for a number of years and does not have any buildings on the site, it is not considered that the site should be marketed for employment purposes before consideration is given to a residential use on the site.
17. Although the Suffolk Preservation Society considered that the LPA should direct for further information in connection with the application, it was not considered that this was necessary for this site and it was acceptable that the other details in connection with this development could be considered separately from the principle of development.
18. With regard to the Ash tree within the garden of The Chapel, when the siting of the dwellings are considered at reserved matters stage, this can be taken into account and the layout designed accordingly.

REASONS FOR APPROVAL

19. The proposed development is considered to be in accordance with adopted Local Plan policies LP4, LP17 and LP18 and emerging policies HS02, HS11, HS12, HS14 and CN01 by reason of the scheme constituting acceptable infill development in terms of its, design, form, scale, materials and relationship to adjoining development. There is no highway objection to the proposal and there are insufficient grounds on which to justify refusal in terms of its impact upon residential amenity or the character and appearance of the village.

RECOMMENDATION

Grant Outline Planning Permission subject to conditions –

- Materials
- Levels (existing and proposed finished ground levels and finished ground floor levels).
- Landscaping scheme (including retention of existing trees and hedgerows)
- Details of proposed boundary treatments.
- As recommended by CHA.

DECISION

=====

ITEM 4

B/05/01372/FUL
FULL

HARTEST - BARNES AT TOWNSEND FARM, MELFORD ROAD

Conversion of agricultural buildings to 2 no. dwellings.

Applicants: The Boxted Estate

Case Officer: Gemma Pannell

SITE

1. The application site, of approximately 0.3 hectares, lies in open countryside of a rural character and contains a range of traditional buildings that have previously been used for storage and are redundant from their original agricultural use. The site is outside the defined built up area boundary for Hartest and is therefore within the “countryside” for planning policy purposes.

PROPOSAL

2. Barn A is predominately brick with a slate roof and has a floor area of approx. 225 sq. metres. Barn B is a timber framed structure clad externally with timber weatherboarding over a brick plinth. A brick built stable building is joined to the east elevation. The roof is currently clad with corrugated steel sheeting. Barn B has a floor area of approx. 140 sq. metres and the stable adds a further 70 sq. metres. The third building, Barn C, is a brick building under a slate roof and it is intended that this building would provide storage and garaging in connection with the residential use of Barn B.

3. The application is accompanied by details of a 12 month marketing campaign which has been undertaken since April 2004. The results of this marketing campaign indicated that no tenant has been found for alternative uses of the site. The campaign was agreed in advance with Babergh District Council and it is considered that the applicants have complied with the requirements set out in the policies below, for considering alternative uses of the site.
4. It is proposed that Barn A will become a four bedroom property comprising two storeys in the brick barn and open plan living in the adjoining room. The openings to serve the dwelling utilise existing openings.
5. Barn B will become a three bedroom dwelling with open plan living accommodation focused in the timber barn and bedrooms/bathrooms in the adjoining brick stable building.

HISTORY

6. 1986 – Planning permission granted for change of use of barn from agricultural to workshop for making furniture (B/86/00280/FUL refers).
7. 1987 – Planning permission granted for conversion of barn to workshop and improvement of vehicular access. (B/87/00343/FUL refers).
8. 2003 – Application withdrawn for conversion of barns to provide 2 no. single storey detached dwellings and erection of detached 4 bay cartlodge/garage. (B/03/00936/FUL refers. The applicant was advised to withdraw the application in order that a marketing campaign could be undertaken.)

POLICY

9. PPS7 – Sustainable Development in Rural Areas
 - Paragraph 17 states that “The Governments policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives. Residential conversion may be more appropriate in some locations, and for some types of building.

Suffolk County Structure Plan 2001

10. ENV2 – The conversion of sound traditional rural buildings will be supported where consistent with other Structure Plan Policies particularly where, amongst other things there would be a significant environmental benefit.

Babergh Local Plan Alteration No 1 June 1995

11. LP50 – LP53 provide for the conversion of underused buildings in the countryside providing amongst other things that the barn, by virtue of its style, design, architectural or historic interest, or its setting within the landscape, is worthy of retention. The presence of a building in the landscape is also identified as an important factor in weighing the suitability of the building for conversion.

Babergh Local Plan Alteration No 2 (Second Deposit Draft version)

12. CR31 – The alternative use of barns in the countryside for business, community and leisure uses should be considered before permitting a residential conversion. This policy also requires a marketing campaign to be undertaken to ensure that employment uses are properly investigated and discounted prior to other uses being considered.

OBSERVATIONS

13. Hartest PC – Number of grave concerns and objects to the proposal for the following précised reasons :-
 - The plans are inappropriately scant for a full application and we therefore find it hard to comment on the detail of the proposed structures.
 - We have concern over the proximity of the buildings to the highway. The exposed position of the northern end of this building, situated just after a bend in the highway presents a significant risk to the potential occupants in the event of a road traffic accident. There has been an increasing number of incidents in Hartest Village where large vehicles have struck buildings set close to the road.
 - The access onto the highway is considered to be highly dangerous. The entrance to the site is situated between two blind bends and the very steep slope at the access point will add to the hazard of entering and leaving the site.
 - In addition to nesting bats, Councillors observed a barn owl using the present site.
 - We are concerned about the future of the hedge on the South West boundary. This may need to be altered in some way to give light to the windows on that side of the building.
 - The last use of the site was not agricultural; one building was used by a woodworking business and before that as a photographic studio or darkroom.
 - The structures of the present buildings are thought to be suffering from subsidence and damage to timbers.
 - There is concern over the development of the site in any form. The valley from Hartest to Boxted is without any buildings on the eastern side except for these barns. Redeveloping these barns for housing would inevitably make them much more intrusive within the landscape and could be detrimental to the environment in this very unspoilt position.
14. County Highway Authority – recommend 2 conditions and one note relating to visibility splays and parking.

15. Suffolk Wildlife Trust: BATS - We are satisfied with the findings of the bat survey that this is not a maternity roost for natterers bats. We support the recommendations of the consultant that a roof void should be provided in conjunction with bat tiles for access. We advise that this should be made a condition of planning consent and the provision for the monitoring the “bat loft” for a minimum of two years should also be included, to evaluate its success.
16. Suffolk Wildlife Trust: BARN OWLS - We require clarification whether the barn owl roost was a breeding roost or a winter roost and what mitigation is proposed for this species. There is no mention of barn owls in the supplementary survey report. We suggest that part of the loft at one end of the building could be adapted for barn owls, but this would need liaison with the consultant to ensure that this did not compromise the new bat roost.
17. EA – To be reported verbally if available
18. Boxted Parish Council – To be reported verbally if available

ASSESSMENT

19. The following matters are the key considerations in this application:
 - Policy Considerations
 - Highways
 - Wildlife

Policy Considerations

20. The application is for the re-use of a range of traditional buildings that are no longer suitable for agricultural. The buildings are not considered suitable for commercial/business use following the lack of interest generated by the marketing campaign. It is considered that the evidence submitted in respect of the marketing campaign, undertaken over a period of 12 months, is satisfactory and complies with the requirements of Policies LP50 -53. As such it is considered acceptable to consider the barns for residential development, subject to compliance with LP53.
21. Policy LP53 of the Babergh Local Plan Alteration No 1 and emerging policy CR31 state that planning permission for the conversion of historic, traditional or vernacular barns in the countryside to permanent residential use will be permitted provided that (inter alia) that the barn by virtue of its style, design, architectural or historic interest, or is setting as part of a farmyard group or within the landscape is worthy of retention. It is considered that the barns contribute to the landscape and form an attractive farmyard group which are worthy of retention.
22. Furthermore, the policy states that the buildings should be capable of conversion without significant rebuilding or extension and retains the character and open volume of the barns with minimal change. The plans submitted show how the building can be converted, whilst retaining the open volume in Barn A and without the need for extension. The openings proposed take advantage of existing openings within the building and are considered entirely acceptable.

Highways

23. Despite the concerns raised by the Parish Council, Suffolk County have raised no objections to the development in highway safety terms. It is not considered that the residential conversion of these buildings will have a detrimental impact on road safety and refusal of planning permission on these grounds is not considered appropriate.

Wildlife

24. The agents have submitted two bat surveys, undertaken at different times of the year, and Suffolk Wildlife Trust have considered these and have recommended conditions relating to the provision of bat loft within the roof void and it is considered that these are justified and should be imposed.
25. With regard to the presence of Barn Owls on the site, the agents have been asked to provide further information regarding the presence of Barn Owls and the proposed mitigation. They state "Appendix seven of the Bat Survey identifies that although Barn Owls are present, the evidence suggest roosting and not nesting". They suggest that an external Barn Owl box be erected, following guidance from Suffolk Wildlife Trust regarding its location. It is considered that this would be suitable.

REASON FOR APPROVAL

The scheme is considered to be in accordance with policies LP50-53 and CR31 by virtue of alternative uses having been explored and discounted and the proposed form of conversion is acceptable.

RECOMMENDATION

Grant (planning permission) subject to condition –

- Permitted development rights removed regarding extensions, outbuildings, screen walls and fencing and roof extensions/alterations.
- Conditions required by Highway Authority
- As suggested by Suffolk Wildlife Trust
- Samples of materials
- Erection of Barn Owl box

DECISION

SUDBURY – COVERED RESERVOIR, YORK ROAD

Outline – Erection of 7 no. dwellings and construction of vehicular access

Applicant: AWG Land Holdings Ltd

Case Officer: Gemma Pannell

SITE

1. The site is currently occupied by a covered reservoir owned by Anglian Water, and is 0.136 hectares in size. It abuts both Tudor Primary School and Uplands Middle School and is accessed from York Road. It is situated within the built up area boundary of the town.

PROPOSAL

2. See report heading. The application is in outline form with means of access and siting included for consideration, all other matters are reserved. The application proposes 7 no. dwellings with an access from York Road.
3. The applicant has submitted a supporting statement which is summarised below:
 - The covered reservoir is surplus to operational requirements and the existing reservoir will be cleared and the land restored to the original ground level.
 - The submitted block demonstrates how the site could be developed to accommodate housing development, whilst complementing and respecting the pattern of development in the area along York Road.
 - In terms of layout and density particular consideration has been given to the relatively recent development at York Close.
 - The site is previously developed land within the town, which offers no positive contribution to the quality of the town nor to the streetscape.
 - The proposal offers a sustainable brownfield redevelopment opportunity with close proximity and links to the town centre, neighbouring schools and pedestrian routes.
 - The density of the development is 51 dwellings per hectare, with a maximum of 1.5 parking spaces per unit.
 - The layout and siting of the proposed dwellings has been centralised within the plot to maximise privacy and garden size.

- A financial contribution is offered in the form of a Section 106 to provide for public open space off site.
- The indicative layout illustrates a mix of 1, 2 and 3 bed properties.

HISTORY

4. None

POLICY

PPG 3 (Housing)

5. PPG 3 states that Local Planning Authorities should seek to achieve an efficient use of land seeking greater densities of developments at places with good public transport and service provision.
6. Good design and layout of new development can help to achieve the Government's objectives of making the best use of previously-developed land and improving the quality and attractiveness of residential areas. In seeking to achieve these objectives, local planning authorities and developers should think imaginatively about designs and layouts which make more efficient use of land without compromising the quality of the environment.
7. Local planning authorities should:
 - avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net);
 - encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net); and
 - seek greater intensity of development at places with good public transport accessibility such as city, town, district and local centres or around major nodes along good quality public transport corridors.

PPG17 – Planning for Open Space, Sport and Recreation

8. In planning for new open spaces and in assessing planning applications for development, local authorities should seek opportunities to improve the local open space network, to create public open space from vacant land, and to incorporate open space within new development on previously-used land.
9. Planning obligations should be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreational provision. Local authorities will be justified in seeking planning obligations where the quantity or quality of provision is inadequate or under threat, or where new development increases local needs.
10. The following adopted and emerging Development Plan policies are considered relevant to this application;

- **Suffolk Structure Plan 2001**

CS3 (Location of new housing development)
ENV3 (Design standards)

- **Babergh Local Plan (Alteration No. 1)**

LP3 (New housing development in towns)
LP17 (Density and Housing Type)
LP18 (Design of new housing)

- **Babergh Local Plan (Alteration No. 2) Second Deposit Draft**

HS01 (New housing development in towns)
HS11 (Housing density)
HS12 (Infilling/groups)
HS14 (Design of new housing)
CN01 (Maintaining local distinctiveness)

** please note that details or extracts of policies are no longer included in reports - see page 4 of these papers.*

OBSERVATIONS

11. TC – Approve
12. CHA – Formal comments yet to be received, but informal advice suggests that amendments to the proposed access will be required. An update on this will be given at the meeting.
13. Three letters of objection to the proposal have been received from local residents. The issues and objections raised are summarised as follows;
 - The development will cause chaos with lorries coming up and down the road. What about the disruption to pupils from noise.
 - Making an additional vehicular access onto York Road will mean that children will have to cross another road.
 - Our properties will be devalued and will be overlooked.
 - We understand the proposal is for 5 houses and 2 flats aimed at cheaper housing. Can you guarantee that these houses/flats will not accommodate young hooligans?
 - We are concerned that the Uplands Middle School has not objected and will be speaking to the head teacher about this proposal.
 - 7 units to be provided on a 1/3 of an acre is over-development
 - Due to the amount of cars parked on the top part of York Road, emergency vehicles can not get through.

- This will be detrimental to wildlife on the site.
- A road crossing over three footpaths would cause dangers to pedestrians.
- The siting of the house would lead to loss of privacy

ASSESSMENT

14. As the site is situated within the settlement boundary of the Town there can be no objections in principle to its redevelopment and furthermore, there is a general planning aim to make a more efficient use of land for housing development and a density of between 30 and 50 units per hectare is advised by PPG3 and required by policy HS11 of the emerging Local Plan. On the other hand, it is important that any new housing development, particularly a high-density scheme, does not compromise the quality of the environment (please refer to paragraph 5 – 7 above which is an extract from PPG3 and policy HS11 of the Babergh Local Plan, Alteration No. 2). Adopted and emerging policies LP18 and HS14 state that all new housing development should be of a high standard of layout and design and the existing character of an area should be respected in the design and layout of any new housing.
15. In this case, the redevelopment of the site with seven units equates to a density of 51 units per hectare and it is considered that this an appropriate density given the sites location within walking distance of the town centre and good access to public transport. It is in these locations where density should be maximised.
16. The application includes the siting of the dwellings for consideration at this stage and the layout submitted shows how the site can be laid out with adequate parking and manoeuvring and leaves the proposed dwellings with a reasonable garden area. The dwellings have been sited centrally within the plot to take the development away from the gardens of the properties in York Close and set the properties at reasonable distances from each other.
17. The applicants have been advised that amendments may be required to the access in order to comply with the highway requirements. However the formal comments of the CHA are still awaited. It is expected that this matter will be resolved satisfactorily before the committee meeting and a verbal update on this issue will be given.

REASON FOR APPROVAL (subject to satisfactory resolution of highway issues)

The proposed development is considered to be in accordance with the provisions of adopted and emerging Development Plan policies ENV3, T9, LP3, LP16,LP17, LP18, HS01, HS11, HS12, HS14, HS16, HS18 and CN01 by reason of the scheme constituting acceptable group development in terms of its, layout, design, form, mix, scale, materials, relationship to adjoining development, ground conditions and public open space provision. There is no highway objection to the proposal and there are insufficient grounds on which to justify refusal in terms of its impact upon residential amenity, or the character and appearance of the town.

RECOMMENDATION A

The Solicitor to the Council be authorised to secure an obligation under Section 106 of the Town and Country Planning Act, 1990 in respect of public open space contributions. Upon completion of the obligation the Head of Planning (Control) be authorised to grant planning permission, subject to the following conditions –

- Landscaping (including management of the structural landscaping);
- Proposed boundary treatments;
- Finished ground floor levels relative to existing and proposed finished ground levels;
- As recommended by CHA;

Otherwise,

RECOMMENDATION B

Refuse planning permission. Reasons (as may be appropriate): -

- Inadequate provision of public open space and play equipment (off site).
- As recommended by CHA

DECISION

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ITEM 6

B/05/01152/FHA & B/05/01153/LBC
Full & Listed Building Consent

KETTLEBASTON – THE CROFT, THE STREET

Erection of single-storey linked extension

Applicant: Mr & Mrs P Hutchings

Case Officer: Gemma Pannell

This application was deferred from the committee on 12th October 2005 to enable a panel of members to inspect the site on 19th October to familiarise themselves with the site given its location in a Conservation Area and adjacent to a listed building, and to assess the potential impact upon the neighbouring properties.

SITE

1. The application site is situated within Kettlebaston Conservation Area and supports a two-storey 17th Century timber framed and plastered thatched building and is Grade II listed.

PROPOSAL

2. The application proposes a single storey linked extension to form a kitchen and dining area. It is attached to the left hand side of the rear elevation (when viewed from the road) via a lead flat roof link, which leads to a weather-boarded extension under a clay pan-tiled roof.
3. The extension (not including the link)(as amended) measures 10.5 metres in length, and 7.8 metres at its widest point. It has a maximum ridge height of 5.4 metres.
4. The Croft, at its closest point, is 1.9 metres from the boundary and the extension, at its closest point, is 2.4 metres from the boundary with Treakles, a Grade II Listed Building.

HISTORY

5. 2002 – Listed Building Consent granted for “Insertion of door opening to replace existing window; insertion of window to replace existing door and internal alterations” (B/02/02073/LBC refers)
6. 2005 – Listed Building Consent granted for “Internal Alterations” (B/05/00304 refers)

POLICY

Planning Policy Guidance Note 15 ‘Planning and the Historic Environment’

7. (PPG15) was issued in September 1994 and remains the main document for Government advice and guidance to Local Planning Authorities on the operation of the planning system in relation to the historic environment.
8. Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest of some buildings, and the merit of some new alterations or additions, especially where they are generated within a secure and committed long-term ownership, should not be discounted.
9. The following adopted and emerging Development Plan policies are considered relevant to this application: -

Suffolk Structure Plan 2001

- Policy ENV3 (Design Standards)

Babergh Local Plan Alteration No. 1

- Policy LP78 (Listed Buildings)
- Policy LP20 (Extensions)

Babergh Local Plan Alteration No. 2

- Policy CN10 (Listed Buildings)
- Policy CN01 (General Design)
- Policy CN02a (Conservation Areas)
- Policy HS17 (Extensions)

OBSERVATIONS (in connection with original scheme)

9. PC – Object for the following précised reasons:
- **Contrary to Policies LP20 and HS17:**
 - The size is disproportionate to and would dominate that of the existing building.
 - The modern mock barn style of the proposed extension is incompatible with the Suffolk architectural style of timber frame homes that surround this site.
 - The use of black weatherboarding and red brick is out of place in area dominated by original timbers and thatched roofs. The proposed materials and design directly offend The Croft and the neighbouring thatched timber frame homes.
 - Object to the close proximity of the proposed extension to the neighbouring Grade II listed building.
 - **Contrary to Policies CN02a and CN10:**
 - The proposed extension would disrupt the elements which contribute to the special character of our Conservation Area by adversely affecting its environment, open space and architecture.
 - The proposal is not of appropriate scale, form and detailed design to harmonise with its setting.
 - The depicted fenestration is inappropriately large and would disrupt the architectural harmony currently maintained by very small, handmade windows.
 - The proposal would disrupt the elements, components and features which form part of the existing buildings special interest and would not respect its original scale, form and design.

- The Parish Council draw attention to recent decisions by the Planning Inspectorate at Kettlebaston, and these being Brick Cottage (B/00/00125/FUL) and Church Farm (B/03/00344/FUL) where the Inspector comments on the locality of Kettlebaston and “the desirability of at least preserving its appearance and character.”
10. SPS – The Society does not object to the form and detailing of the extension itself, which appears to have been designed in order not to compromise the integrity and character of the listed building. However the Society does object to the scale of the proposal which does compromise and impact adversely on the character and special interest of this thatched listed building. The scale of the proposal is at odds with extensions in this small hamlet. There is a Conservation Area appraisal for Kettlebaston and the Society suggests that the proposal is contrary to the contexts of the appraisal as well as the Council’s Local Plan Policies relating to extensions to listed buildings and development in a conservation area.
11. Auckland Regional Council, New Zealand (Soil and Water Specialist) – It is my professional opinion that recommendations be made to decline for the following reasons:
- The proposed development would severely damage the historical significance the Croft bestows on the village of Kettlebaston.
 - The plans indicate a new building made from materials that are not at all in harmony with the original timber frame and small windows of the Croft. Also the size would completely dominate the Croft itself and make it the secondary part of the structure. This would be a crime.
 - The windows in the drawings are huge and collide architecturally with the beautiful small windows of the cottages in the surrounding area.
 - Kettlebaston is a Conservation Area and approving this extension would further rob this little village of the harmony created by nature and the some of the existing buildings.
 - A large new executive-style home nearby is a good example of how this imbalance is ruining the village’s conservation area.
12. 14 letters of objection have been received for the following précised reasons:
- The proposed building would not preserve or enhance the character of the historic group of Listed Buildings, which comprise the centre of Kettlebaston.
 - The removal of trees and hedging and the building of a large mock type extension so close to the boundary of the neighbouring property would appear contrary to your policy and would adversely affect the adjacent affect the adjacent Listed Building.

- The large windows and the building as a whole are inconsistent with design of the original Listed Building and the proposed extension is almost as large as the existing building.
- The proposed extension does not conform with or in any way enhance the other Listed Buildings in the heart of Kettlebaston.
- The Croft is a thatched cottage, presumably original farm workers cottages that have been sympathetically restored, and the new building is not in keeping with The Croft.
- The extension is very close to the boundary of the neighbouring property Treakles and in following the site boundary line would be intrusive and also block light from the garden of Treakles.
- The proposed extension is too large and inappropriate to the style and character of the “The Croft”.
- We need to resist the continued erosion of the rural nature of this Conservation Area.
- Well meant improvements like the jumble of attachments proposed to be added to the back will detract from the unity of the building – destroy the neighbourly ambience and open up the building to further exploitation. This will add to the erosion of the villages appearance.
- The existing boundary planting will need to be removed and because of the closeness of the new structure to this boundary it will probably be impossible to replace them. The whole building will be very visible from the neighbouring property “Treakles”.
- Its size is disproportionate relative to surrounding listed buildings and the to the Croft itself. Its footprint almost rivals that of the Croft itself.
- The proposed extension, with its three graduated, slate roofed extensions on the North side bears no resemblance at all to any traditional Suffolk Barn. It is reminiscent of the ill-conceived pseudo barn architecture popular in the 70s and 80s.
- The composition and form of the proposed extension owe little to vernacular Suffolk architecture, especially barn architecture. This confused articulation of the building mass only adds to its awkward, incoherent form.
- The bulky building right along the south boundary of Treakles would be detrimental to the character of this listed thatched cottage and its garden.
- The extension will be entirely visible from Treakles and the view would be of the unsightly graduated, slate roofed extensions and the extensive tiled roof of the North elevation.

- The plan shows two windows, which would overlook Treakles' garden.
- Such large and out of place structures break the harmony of the trees, hedges, fields, small thatched cottage and church that define Kettlebason's Conservation Area status. Along with recently approved developments approval of this application would further diminish the rural nature of the village. This proposed development would not at all enhance our Conservation Area, but would weaken, damage and spoil it.
- The development would be very destructive to our small village and the historical value it gives to the area.
- The extension would convert the Croft to an oversized and out of place home that would make a mockery of the villages Conservation Area. As I understand "Conservation Area" means a unique place where there is a delicate balance between nature and manmade buildings. This extension would throw this relationship well out of balance and take even more charm away from this little village.

OBSERVATIONS (in connection with revised scheme)

13. PC – The PC unanimously opposes this proposed extension. The Council considers that the changes reflected in the amended plan are insignificant.
 - The repositioning of glazing does not alleviate the disharmony that would be caused by fenestration of such size and design.
 - The proposed post and rail fence would cause an increased adverse impact to the immediate surroundings as well as the neighbouring property.
 - The plan fails to detail compensatory measures for the harmful effect to the environment that such an extension would create through the elimination of green spaces, trees and shrubs.
14. Auckland Regional Council, New Zealand (Soil and Water Specialist) – Strongly object to the proposal. The variations depicted are not substantial, particularly in regard to size and design.
15. Letters – 9 letters received objecting to the revised proposal the same reasons as detailed above under paragraph 12 above. Additional comments are as follows:
 - Replacing the existing planted boundary with a 900mm post and rail fence is not in sympathy with the principles behind a designated conservation area.
 - Why are two dining areas shown. Is there to be a change of use of the property?

- The movement of one window to the side of the proposed extension would be an invasion of privacy

ASSESSMENT

13. The approach of extending listed cottages in the form of a linked outbuilding, as a foil to the principal building is generally favoured by English Heritage, and this approach is normally appropriate where the cottage in question has not been extended previously. This scheme has been designed in this way, and the style of the extension is not intended to mirror the existing building, but to clearly set apart the extension from the Listed Building.
14. The original proposal came in close proximity to the boundary with Treakles and as such, much of the landscaping shown on the boundary of the site could be threatened during the construction of the extension. The loss of this landscaping would cause the extension to become very exposed to the boundary with Treakles. Amended plans were therefore requested which would either reduce the width of the extension or reposition it further away from the boundary. These have now been submitted and the proposal has been reduced in length and the layout has been revised to remove a number of lean-to extensions from the elevation, which borders the boundary with Treakles. It is considered that the amended plans satisfactorily address the concerns regarding the impact on the existing landscaping and the reduction in size leaves scope for additional planting to be placed along the boundary between the two properties.

REASON FOR APPROVAL

Planning Permission and Listed Building Consent is granted because the proposal is in accordance with PPG15: Planning and the Historic Environment, policies LP20 and LP78 of the Babergh Local Plan (Alteration No. 1) and Policies HS17 and CN10 of the Second Deposit Draft of the Babergh Local Plan (Alteration No. 2) having had regard for other material considerations.

RECOMMENDATION

Grant Planning Permission and Listed Building Consent subject to conditions:

- Materials
- Boundary hedge to be retained (planning application only)
- Colour of joinery
- Colour of weatherboarding
- Landscaping

DECISION

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SHIMPLING – THE CROFT, GENTS LANE

Outline – Erection of 12 no. dwellings and construction of vehicular access and provision of amenity land (woodland). Existing buildings to be demolished.

Applicant: Mr. R. Scott

Case Officer: Gemma Pannell

BACKGROUND

The application is referred to Committee at the request of a Member. A panel of Members visited the site on 19th October 2005 to decide whether it would be classed as a brownfield site on the edge of the village.

SITE

1. The site measures approximately 1.13 hectares and sited at the end of Gent's Lane and is situated outside the built up area boundary of the village. The application site was formerly used for the purposes of agriculture and contains disused pig and chicken rearing units. The site is within the Special Landscape Area.

PROPOSAL

2. See report heading. The application seeks outline planning permission with means of access and siting included and is for the erection of 8 no. detached dwellings for general needs housing. The remaining 4 dwellings are to be social housing (2 no. 2 bed and 2 no. 3 bed) provided in 2 semi-detached pairs.
3. The applicant's agent has prepared a detailed statement in support of the application, which members can see in full by arrangement with the case officer, and this is summarised as follows;
 - The Croft was an agricultural holding that became rundown and unviable. The option for the owners to double in capacity and size and modernise. This required extensive investment, which was not possible and would only show limited return.
 - The housing group is variable, respecting the scale and nature of village character. The layout reflects street scene, neighbourhood grouping and a balance between community and privacy.
 - The defined nature of the site, its relationship to the village centre and its proximity to other housing, the development would neither encourage ribbon development nor be a precedent for future development.
 - The housing would encourage new blood growth within Shimpling Street for both new and established families alike. The intention to make a range of affordable housing available is an essential aspect of this proposal.

- An established vehicular access currently serves the existing Croft and the rear of some properties in Shimpling Street off the adopted Gents Lane. The continuation of Gents Lane and the established tract to the south west boundary give alternative points of access to the Croft. A pedestrian footpath leads directly to the Croft from the village street.
 - The limited flow of domestic traffic from the projected development would be safer than the current flow for poultry and pig requirements and certainly less than an enlarged agricultural concern.
 - There is an opportunity to replace these buildings with a development that sympathetically complements the existing village while retaining the existing nature of the site.
 - The site is not prime agricultural land and is isolated from the surrounding farmed land and now relates more directly to the village, its buildings and its land.
4. The applicant's agent has also submitted a traffic flow count for the pig and chicken rearing farm when this was operational. Members can inspect this information with the case officer if required.

HISTORY

5. 1996 – Outline planning permission refused for erection of 8 no. dwellings (B/96/00339/OUT refers).
- The grounds for refusal included: The site is outside of the built up area where existing land uses should remain undisturbed; it would result in the increase in the sporadic scatter of development outside the confines of the village boundary; damaging to the essentially linear pattern of development; poorly related to the centre of the village; increase the amount of vehicular traffic along Gents Lane and the scale and location of the development would be incompatible with the character of the village, detrimental to the character of the Special Landscape Area.
6. 1999 – Outline planning permission refused for erection 2 no. dwellings (B/99/00247/OUT refers).
- The reason for refusal states “The proposal represents an undesirable intensification of residential development in the countryside which would be detrimental to the character of the area and set a precedent for similar development elsewhere within the District.”

POLICY

PPS1 – Delivering Sustainable Development

7. Planning policies should seek to protect and enhance the quality and amenity value of the countryside. A high level of protection should be given to landscapes, wildlife habitats and natural resources.

8. Reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development.

PPG3 – Housing

9. To promote more sustainable patterns of development and make better use of previously developed land, the focus for additional housing should be in existing towns and cities.
10. Not all development can take place within urban areas. How much development should take place outside existing areas will depend on the overall need for housing land, the capacity of existing urban areas to accommodate additional housing and the efficiency with which land is developed. Where development has to take place outside urban areas, the Government is looking to local planning authorities to utilise the most sustainable option.
11. Annex C of PPG3 defines previously developed land (brownfield) as that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings)” The definition excludes land and buildings that are currently in use for agricultural or forestry purposes. It goes on to say the also excluded is land that was previously developed but where the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings.)

PPS7 – Sustainable Development in Rural Areas

12. Away from large urban areas, planning authorities should focus most new development in or near to local service centres where employment, housing (including affordable housing), services and other facilities can be provided close together.
13. Local planning authorities should strictly control new house building in the countryside away from established settlements or from areas allocated for housing in development plans.

PPG13 – Transport

14. By shaping the pattern of development and influencing the location, scale, density, design and mix of land uses, planning can help to reduce the need to travel, reduce the length of journeys Consistent application of these planning policies will help to reduce some of the need for car journeys (by reducing the physical separation of key land uses) and enable people to make sustainable transport choices.
15. The following adopted and emerging Development Plan policies are considered relevant to this application;

- Suffolk Structure Plan 2001 – Policies;
 - ENV3 (Design Standards)
 - ENV4 (Protection of the Countryside)
 - ENV6 (New Housing in the Countryside)
 - CS1 (Sustainable Development), and
 - CS3 (Location of new Housing Development).

- Babergh Local Plan, Alteration No.1 – Policies;
 - LP4 (Housing Development in Villages)
 - LP5 (Villages)
 - LP18 (Design and Layout) and
 - LP93 (Protection of the Countryside)
 - LP97 (Special Landscape Area)

- Babergh Local Plan, Alteration No.2 – Policies;
 - HS02 (Housing),
 - HS03 (Villages),
 - HS04 (New Residential Development in the Countryside),
 - HS14 (Design and Layouts),
 - CR01 (Protection of the Countryside)
 - CR06 (Special Landscape Area) and
 - CN01 (General Design & Context policy).

**** please note that details or extracts of policies are no longer included in reports - see page 4 of these papers***

OBSERVATIONS

16. PC – offer the following comments;
- Proposed development is located outside the BUAB for Shimpling and is located some distance from it. It is situated within the Stour Valley Special Landscape Area, lies at the end of a narrow single track section of Gents Lane. It should therefore be considered as development within the open countryside.

 - Shimpling Village does not have the potential for any further significant development due to the lack of services and facilities in that it has no pre-school or primary school, only limited bus service to Bury St Edmunds and Sudbury, no shops or post office, no opportunities for local employment, no leisure or social facilities other than small village hall and pub. It can not be demonstrated, therefore that the additional housing will support local services.

 - This will cause a very significant increase in the amount of vehicular traffic on Gent's Lane, The Street and local by-roads to the detriment of the existing residents.

- The proposed development would replace a group of old, generally low level, pig and poultry rearing buildings that sit quite happily in a hollow, with a small estate of twelve two storey dwellings constructed well outside the built up area. They would be conspicuous within and cause loss to, the visual amenity of the Special Landscape Area and set an unfortunate precedent for similar development.
- Proposed development contravenes the policies of the County Structure Plan and the Babergh Local Plan and offers no benefit to the village. It should be refused.

17. CHA – Recommends that permission be refused for the following reasons:

- Access to the application site is via Gents Lane, an unclassified and narrow road. For much of its length Gents Lane is of insufficient width to enable two cars to pass each other. The section between the site and No. 1 Gents Lane is only 2.5m wide. It is therefore not considered acceptable or suitable to serve the additional traffic generated by the proposed residential development.
- Gents Lane, particularly beyond No. 1 Gents Lane is not of sufficient standard to accommodate pedestrian movements. Pedestrians using Gents Lane will encounter unacceptable hazards.
- Gents Lane, especially the section beyond Gents Lane is of poor construction and is not suitable to serve the additional residential and pedestrian traffic.
- Visibility at the junction of Gents Lane with Slough Hill is sub-standard; dangers would be created by the increase in vehicular movements at this point.

18. 11 letters of objection have been received from local residents. The issues and objections raised are summarised as follows;

- Gent's Lane is part poorly metalled lane, part track, off of Shimpling Street and would be unable to sustain the volume of traffic this development would create.
- The site lies outside the village boundary and would be contrary to the Council's policy on such developments.
- There are not the necessary levels of services/facilities in the village to make a development of this size sustainable.
- Gent's Lane is a narrow lane with hardly any off road parking, with just enough space for the cars belonging to the 7 houses at the beginning of the lane to park. Construction vehicles would cause destruction to the lane and the ditch verges.
- Planning permission has been refused in the past with outlines for less houses than that which have now been submitted to the Council for

consideration. Nothing has changed in Gents Lane, regarding access and sustainability of the village last application. Why is the Planning Department considering this outrageously sized application?

- The development is located with the Stour Valley Landscape Area, and whilst the existing old buildings, being of low stature and set within a natural hollow, blend in with the surroundings, a group of twelve two-storey dwellings will be very conspicuous and be detrimental to the visual amenity of the landscape.
- I up the Council will uphold the stated policies and refuse this application.
- Granting permission will set a precedent for further development in the Gent's Lane area.
- The proposed development will not benefit local people. The houses will be priced out of the range of young first time buyers who would like to stay in the village.
- The proposed amenity woodland and demolition of old agricultural buildings in no way makes any compensation for an inappropriate development such as this.
- The proposed development would destroy the view from the Green of the surrounding countryside. This is currently the best view in the village.
- The expected increase over the present traffic flow is far in excess of that which emanated from the operation of the pig and poultry unit pre 1995, which involved no more than three vehicles weekly and six vehicles every eight weeks.

ASSESSMENT

19. The application should be assessed against the following criteria:

- Policy
- Housing mix and affordable housing
- Public Open Space Provision

Policy

20. The application site lies outside of the defined built up boundary for Shimpling and is therefore classified as countryside where rural area planning policies of restraint apply. There is therefore a strong presumption against further residential development here and local plan policy HS04 states that new housing will be integrated into the defined areas of towns and villages. It also states that in the countryside outside towns and villages it is intended that existing land uses will remain for the most part undisturbed.

21. It should be noted that no justification has been made that the proposed dwellings are for key personnel to be employed in agriculture, horticulture or forestry, nor are the proposed dwellings cited as an 'exceptions' site for local needs housing.
22. The proposal should be regarded as development on an isolated greenfield site in the countryside in an unsustainable location, contrary to established Government planning guidance and adopted and emerging Development Plan policies. Approval of this application would set a serious and undesirable precedent for similar developments in the locality, to the detriment of the countryside and District in general.
23. Government Planning Guidance with regard to achieving sustainable development with regard to housing provision is well documented within the 'Policy' section of this report above.
24. The application site is situated outside of the village of Shimpling, and is devoid of local services or social facilities and is not well served by public transport. It follows that the occupiers of the proposed dwellings would have to travel to access shopping, education, employment, recreation, and social facilities and the majority of these journeys would be by car. Furthermore, the dwellings would create demand for additional trips for visitors and service vehicles. As such, the proposal for new dwellings in this isolated countryside position clearly represents an unsustainable form of development.

Housing mix and affordable housing

25. Government planning guidance within PPG3 seeks to ensure an appropriate mix of dwelling types and sizes in order to meet local needs and provide affordable housing. A package of policies has been incorporated into the emerging Second Alteration to the Babergh Local Plan to reflect these strategic aims.
26. Policy HS08a requires one in every three dwellings provided in smaller villages (i.e. with a population of 3,000 or less) to be an affordable property operated by a Registered Social Landlord (RSL). In this case, four of the twelve proposed dwellings should be provided as 'affordable' units. Whilst four of the proposed dwellings are labelled "social housing", there are no provisions in the application to ensure these are transferred to an RSL.
27. Policy HS18 seeks to secure a mix of dwelling sizes on developments of 5 or more units. In particular it seeks 20% of dwellings in a scheme to be one or two bedrooms (with a gross internal floor space of 75 square metres or less) and the remainder of the development to be a mix of 2, 3, 4 and 5 etc. bedrooms. In this case, the eight dwellings proposed for open market housing are 3 or 4 bed . As such, the proposal is clearly contrary to PPG3 and emerging policy Policy HS18 as there an unacceptable mix of dwelling sizes is proposed.

Public open space provision.

28. Emerging policy HS16 of the Babergh Local Plan (which is supported by supplementary planning guidance) relates to proposals for new residential development and requires that either 10% of the application site is provided as public open space with play equipment (but only where agreed with the Council) or provide a contribution toward providing public open space on a nearby site or upgrading an existing site. The application indicates that some of the land to the rear of the site would be retained as “Woodland” but it is not indicated how this would be used as public open space. The proposal is therefore contrary to Policy HS16 of the emerging Local Plan, which is based upon Government Guidance in PPG18.

RECOMMENDATION

Refuse planning permission. Reasons -

- i) Adverse impact upon the character of the countryside - contrary to the objectives of PPG3 and PPS7, Suffolk Structure Plan 2001 planning policy ENV6, Babergh Local Plan Alteration No.1 policies LP4, LP93, and H6, and Babergh Local Plan Alteration No.2 – Second Deposit Draft policies HS02, HS04, and CR01, and
- ii) Unsustainable development – contrary to PPG3, PPG13, CS1, CS3, CS10, ENV6, LP4, HS02 and HS04
- iii) Inappropriate housing mix – Contrary to Policy HS18
- iv) As recommended by CHA
- v) In the absence of a commitment to enter into a S106 agreement to secure affordable housing and public open space – contrary to Policies HS08a and HS16.

DECISION

SUDBURY – LAND ADJ. FIRST STEPS, NORTHERN ROAD

Outline – Erection of building to provide new car dealership, showroom, offices, workshop, storage area, customer and staff parking area and construction of new vehicular access.

Applicant: J & J Howlett (Garage) Ltd

Case Officer: Gemma Pannell

SITE

1. The site comprises 0.35 hectares fronting onto Northern Road. The site abuts a children's nursery (First Steps). A public footpath runs alongside the edge of the site but there are no other constraints, which affect the site. Adjacent to the site is an area of land which is landscaped and managed as public open space by the Council.

PROPOSAL

2. The proposal seeks outline planning permission for the erection of a car showroom and associated facilities, with means of access forming part of the outline planning application. Two separate means of access are proposed; one off Northern Road, which would be an entrance only and one onto Addison Road, an internal estate road, which according to the submitted plans would be used as an exit and as a staff entrance.
3. The layout plan includes site details for a building that has been included for illustrative purposes and is not for consideration at this stage.

HISTORY

4. 1997 – Outline planning permission granted for erection of car showroom (application B/97/0049/OUT refers)
5. 1985 – Planning permission granted for two vehicular accesses to proposed filling station (application B/85/00374/FUL refers). Development commenced on site and capable of implementation in perpetuity.
6. 1984 – Planning permission granted for the installation of petrol pumps and storage tanks (application B/84/00849 refers)

POLICY

7. Suffolk Structure Plan 2001:-

- ECON 2 states that most new employment development will be located in or adjoining towns.
 - T9 deals with car parking requirements.
8. Babergh Local Plan (Alteration No. 1): -
- LP29 (General Employment Area)
 - LP146 (Car Parking)
9. Babergh Local Plan (Alteration No. 2):-
- EM02 – General Employment Areas
 - TP17 – Cycle and vehicle parking
 - TP18 – Parking in new developments
 - CR14 – Protected species

OBSERVATIONS

10. TC – Approve
11. CHA – recommend standard conditions regarding the layout of the access and parking and manoeuvring areas.
12. SWT – views awaited
13. Ramblers Association – views awaited
14. SCC (RoW officer) – views awaited
15. HoLS – views awaited
16. Letters – none received.

ASSESSMENT

17. In 1997, when consideration was given to application B/97/0049/OUT, the Solicitor to the Council ruled that there had been a commencement to the earlier planning permission for the petrol filling station and as such, although not fully implemented, the planning permission was extant and capable of implementation. Consequently it was considered at that time that the erection of a car sales showroom was acceptable in principle and in traffic generation terms, planning permission was therefore granted.
18. Policies LP29 and EM02 identify the Chilton Industrial Estate as an area for General Employment and state that planning permission will be granted for most forms of development that is concerned with economic activity and provides employment. It is considered that the principles of granting planning permission have not changed since 1997 and as such the current proposal is judged acceptable.

19. The site may contain protected species, which could require mitigation measures and the views of Suffolk Wildlife Trust are awaited on this matter. The site also abuts a public footpath and the comments of interested parties are still awaited on this matter. A verbal update on these matters will be given at the meeting.

REASON FOR APPROVAL

The proposal is considered to be in accordance with policies LP29 and EM02 by reason of the sites location within a general employment area. The proposal is not considered to have an adverse impact on town vitality and viability, traffic generation or road safety so as to justify refusal of planning permission.

RECOMMENDATION

Subject to no new issues being raised by the outstanding consultees at the end of the consultation period (15th November 2005) the Head of Planning (Control) be authorised to grant planning permission subject to conditions –

- Alternative to planning permission B/85/00374
- As recommended by CHA
- Any as required by outstanding consultees

DECISION

ITEM 9

B/04/01964/FUL
FULL

LITTLE WALDINGFIELD – NEWMAN’S HALL FARM, BELLS CORNER

Erection of 2 no. agricultural storage buildings and construction of new vehicular access.

Applicant: Mr. C. Miller

Case Officer: Gemma Pannell

SITE

1. The site is located outside of the main settlement of Little Waldingfield on the B1115 to Monks Eleigh and is located within the Countryside. There are no other constraints affecting the application site.

PROPOSAL

2. See report heading. The largest of the two buildings measures 28 metres by 6.5 metres with a maximum ridge height of 4.5 metres. The second building measures 9 metres by 6 metres with a maximum ridge height of 4.5 metres. Both buildings are of steel frame construction and will be clad in dark grey

vertical metal sheeting. The buildings will be positioned within a group of existing agricultural storage buildings.

3. The buildings are to be used for the storage of machinery that is used on the farm, but also offered to other farmers and landowners under Mr. Miller's associated business known as Microplant.
4. The application also proposes the reopening of an existing access onto the B1115. This is proposed to enable the farming operation to be separated away from the residential use of Newman's Hall.

HISTORY

5. None relevant.

POLICY

PPS7 – “ Sustainable Development in Rural Areas”

6. PPS7 states that the government's objective is to promote sustainable, diverse and adaptable agriculture sectors, where farming achieves high environmental standards, minimising impact on natural resources, and manages valued landscapes and biodiversity.

Suffolk Structure Plan 2001

- ECON1 (Existing employment uses)
- ENV3 (Design Standards)
- ENV4 (Landscape quality and character of the countryside)

Babergh Local Plan Alteration No.1

- LP93 (Landscape quality and character of the countryside)
- LP105 (Agricultural buildings and operations)

Emerging Babergh Local Plan Alteration No.2

- CR01 (Landscape quality and character of the countryside)
- CR10 (Landscaping Schemes)
- EM01 (Employment)
- CR20 (Agricultural buildings and operations)

OBSERVATIONS

7. PC –Whilst in principle we have no objection, we have 2 concerns regarding the additional access onto an already busy road and if the buildings were solely for agricultural storage, we would not have an objection. However we would be concerned if the use were to change at a later date, for example to light industrial use.
8. CHA – Recommend standard conditions regarding the layout of the access and the parking and manoeuvring area.
9. Letters – none received.

ASSESSMENT

10. The application site is located in the countryside outside the built up area boundary for Little Waldingfield, however the proposed use is for the purposes of agriculture in that the building is for the storage of agricultural machinery, and other operations, see paragraph 3 above. The agents written clarification of the range of agricultural uses to be accommodated within the buildings is awaited.
11. One of the Council's corporate objectives is to develop and support the local economy. Agriculture continues to play an important role in that economy. Moreover, Development Plan policies generally presume in favour of the expansion of an existing business, subject to there being no significant adverse impact on the environment, residential amenity and road safety. It is necessary to ensure that all new development preserves the natural beauty of the landscape in accordance with the guidance set out in PPS7. There is adequate screening on all boundaries of the site to ensure that the development will neither be obtrusive or detrimental in the landscape. The applicant has stated that the building will be constructed of grey metal cladding and this is considered acceptable.

REASON FOR APPROVAL

It is considered that having regard to policies ENV4, LP93, and CR01, the proposed location of the buildings, its siting and design would have a minimal adverse impact on the countryside.

RECOMMENDATION

Subject to the receipt of satisfactory written confirmation from the agent in respect of paragraph 3 and 10 above the Head of Planning Control be authorised to grant planning permission, subject to the following conditions:

- Definition of outside storage area
- No storage outside defined area
- No floodlighting
- As recommended by CHA

ITEM 10

B/05/01663/DPA

HADLEIGH – 51 PYKENHAM WAY

Application under Regulation 3 of the Town and Country Planning General Regulations 1992 – Retention of existing 1.8 metre high fence. As amended by email received 24/10/2005.

Applicant: Babergh District Council

Case Officer: Alison Taylor

BACKGROUND

This application is reported to Development Committee as Babergh District Council is the applicant.

SITE

1. The application site is located wholly within the built up area boundary of Hadleigh and is an end of terrace property with public highway to the front and side and vehicular access to the rear. The site is approximately 9.5 metres wide and 28.5 metres deep.

PROPOSAL

2. This planning application seeks the retention of a 1.8 metre high close boarded timber fence which measures 30 metres in length. The fence is 1.8 metres high along the rear and part-side boundary, sloping down to 1 metre high in line with the front of the dwelling.

RELEVANT HISTORY

3. None

POLICY

Please note that details or extracts of policies are no longer included in reports – see page 4 of these papers.

4. The following adopted and emerging Development Plan policies are considered relevant to this application: -

Suffolk Structure Plan 2001

- Policy ENV3 (Design Standards)

Babergh Local Plan Alteration No.2 – Second Deposit Draft

- Policy CN01 (General Design)

OBSERVATIONS

5. TC – To be reported verbally if available.
6. CHA – No observations.
7. Archaeology – No objection.
8. Letters – None received.

ASSESSMENT

9. The application must be determined in relation to the provisions of the development plan and other material planning considerations. The main issue to be considered in this case is the visual impact of the fence on the character and appearance of the surrounding area.
10. Close boarded fencing of up to 2 metres in height is common along the rear boundaries of dwellings in the surrounding area. Planning permission is required for the erection of fences exceeding 1 metre in height adjacent to a highway to enable the Local Planning Authority to retain control over this type of development in the interests of visual amenity and highway safety. The Highways Authority has no objections to this application. By virtue of the existence of similar boundary fencing to No. 65 at the opposite end of this terrace of dwellings, it is not considered that the fence to be retained results in a significant adverse impact upon the character and appearance of the area.

REASON FOR APPROVAL

Having regard to the pattern of existing development in the area and the relevant provisions of the development plan, it is considered that the fence to be retained would accord with the provisions of policy CN01 of the Babergh Local Plan (Alteration No. 2) - Second Deposit Draft, does not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and is acceptable in terms of highway safety and convenience.

RECOMMENDATION

Grant planning permission.

DECISION

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ITEM 11

B/05/01664/FHA
FULL

HADLEIGH – 18 GLANVILLE ROAD

Erection of two-storey side extension.

Applicant: Mr and Mrs Moore

Case Officer: Alison Taylor

BACKGROUND

This application is reported to Development Committee as the applicant is an employee at Babergh District Council.

SITE

1. The application site is located on the north side of Glanville Road, with a frontage width of 14 metres, a depth of 21.5 metres and encompasses an area of approximately 0.04 hectares. The site is accessed by public footpath and lies wholly within the built-up area boundary for Hadleigh.

PROPOSAL

2. This planning application seeks permission for the erection of a two-storey side extension.
3. The extension has a width of 3.78 metres and a depth of 7.42 metres with a maximum ridge height of 7 metres. The proposed ground floor area measures approximately 28 square metres, reducing to 23 square metres at first floor level.

HISTORY

4. 1972 – Planning permission granted for the erection of 204 dwellings, accesses and garages – S/72/901/H

POLICY

Please note that details or extracts of policies are no longer included in reports – see page 4 of these papers.

5. The following adopted and emerging Development Plan policies are considered relevant to this application: -

Suffolk Structure Plan 2001

- Policy ENV3 (Design Standards)

Babergh Local Plan Alteration No.1

- Policy LP20 (Extensions)

Babergh Local Plan Alteration No.2 – Second Deposit Draft

- Policy HS17 (Extensions)
- Policy CN01 (General Design)

OBSERVATIONS

6. TC – To be reported if available.
7. Letters - None received.

ASSESSMENT

8. The application must be determined in relation to the provisions of the development plan and other material planning considerations. The main issues to be considered in this case are the impact of the proposal on the amenities of neighbouring residents and the character of the dwelling and its surroundings.
9. It is considered that the proposed two-storey side extension relates satisfactorily to the dwelling in terms of its detailed design, form and materials and would not lead to any significant loss of residential or visual amenity by virtue of the size of the site.
10. In view of the above and having regard to the relevant Development Plan and its policies, the following recommendation is made -

REASON FOR APPROVAL

The proposal, for a two-storey side extension to an existing dwelling, is considered to be in accordance with the provisions of policy LP20 of the Babergh Local Plan (Alteration No.1) and emerging policies HS17 and CN01 of the Babergh Local Plan (Alteration No.2) - Second Deposit Draft. In particular, the extension blends with the scale, form and design of the host building, and respects its setting. Furthermore, owing to its siting, scale and fenestration layouts, the extension would not reduce the amenities enjoyed by occupants of neighbouring properties and would not result in the loss of any significant trees.

RECOMMENDATION

Grant Planning Permission.

DECISION
